

BOARD OF APPEAL REFERRALS

February 26, 1976

1. Z-3529 Emilio R. Cucchiella
534 Commercial Street, Boston
2. Z-3530 National Realty Co., Inc.
Charles Talianan
176 Newbury Street, Boston
3. Z-3531 Church of God and Saints of Christ
94 Fowler Street, Dorchester
4. Z-3532 Vincenzo Corsetti
90-94 Cottage Street, East Boston
5. Z-3533 Thomas A. Cosco
220 William F. McClellan Highway, East Boston
6. Z-3534 Superior Building and Remodeling
115 Belgrade Avenue, Roslindale
7. Z-3535 Nicola and Maria DeLibero
456-464 Bremen and
489-497 Saratoga Streets, East Boston
8. Z-3536 John Alberino
14 Falcon Street, East Boston
9. Z-3537 William P. O'Brien
1156-1164 River Street, Hyde Park

MEMORANDUM

February 26, 1976

TO: BOSTON REDEVELOPMENT AUTHORITY
FROM: Robert T. Kenney, Director
SUBJECT: BOARD OF APPEAL REFERRALS

Hearing: 3/2/76 Petition No. Z-3529
Emilio R. Cucchiella
534 Commercial Street, Boston
at Copps Hill Terrace

408 square feet of land - apartment (H-3) district.

Purpose: to locate and operate a pushcart refreshment stand on premises.

Violations:

Required Proposed

Section 8-7. Sale over the counter of on-premises-prepared food or drink for off-premises consumption or for on-premises consumption if, as so sold, such food or drink is ready for take-out is forbidden in an H-3 district.

Section 18-1. Front yard is insufficient. 15 ft.

Section 20-1. Rear yard is insufficient. 10 ft.

Very small site not an appropriate location, since it abuts a residential structure and is at a blind corner. Proposed use would tend to generate litter and detract from this historic (Copps Hill Park) and recreational (North End Park) neighborhood. Hazardous traffic conditions would be created by the stand's attracting customers from park areas across the street. There is community opposition. Recommend denial.

VOTED: In reference to Petition No. Z-3529, brought by Emilio R. Cucchiella, 534 Commercial Street, Boston, for a forbidden use and two variances to locate and operate a pushcart refreshment stand on premises in an apartment (H-3) district, the Boston Redevelopment Authority recommends denial. Very small site is not an appropriate location. It immediately abuts a residential structure. Proposed use would tend to generate litter and detract from this historic (Copps Hill Park) and recreational (North End Park) neighborhood. Hazardous traffic conditions would be created by the stand's attracting customers from park areas across the street. There is community opposition.

Z-3529

536 COMMERCIAL ST.

(B. 2)



Board of Appeal Referrals 2/26/76

Hearing: 3/2/76

Petition No. Z-3530
National Realty Co., Inc.
Charles Talianian
176 Newbury Street, Boston
near Exeter Street

Four-story structure - general business (B-4-70) district

Purpose: to erect sign-bearing canopy in front of building (store, offices, barber shop).

Violation:

Required Proposed

Section 18-1. Front yard is insufficient. 20 ft. 5 ft.

Open canopy structure identifying "Dom's Hair Styling Salon" has been reviewed and approved by the Back Bay Architectural Commission. Yard violation is technical and would not adversely affect surrounding properties. Recommend approval.

VOTED: In reference to Petition No. Z-3530, brought by National Realty Co., Inc., 176 Newbury Street, Boston, for a variance to erect a sign-bearing canopy in a general business (B-4-70) district, the Boston Redevelopment Authority recommends approval. Structure has been reviewed and approved by the Back Bay Architectural Commission. Yard violation is technical and would not adversely affect surrounding properties.

NEWBURY ST.
(B.P.)

Z-5530

32



Board of Appeal Referrals 2/26/76

Hearing: 3/2/76

Petition No. Z-3531
Church of God and Saints of Christ
94 Fowler Street, Dorchester
near Greenwood Street

Two-story masonry structure (place of worship and day care center) - residential (R-.8) district.

Purpose: to increase capacity of day care center from 55 to 120 children.

Violation:

Section 8-7. A day care center for 120 children is conditional in an R-.8 district.

Petitioner states that they have a waiting list of pupils from the neighborhood to utilize the facility (Dorchester Child Development Center). All City and State regulations must be met. Recommend approval with proviso.

VOTED: In reference to Petition No. Z-3531, brought by Church of God and Saints of Christ, 94 Fowler Street, Dorchester, for a conditional use to increase capacity of day care center from 55 to 120 children in a residential (R-.8) district, the Boston Redevelopment Authority recommends approval only if facility complies with all City and State regulations.

Z-3531

94 FOWLER ST.
(DOR.)



Board of Appeal Referrals 2/26/76

Hearing: 3/2/76

Petition No. Z-3532
Vincenzo Corsetti
90-94 Cottage Street, East Boston
near Everett Street

3,669 square feet of land - local business (L-1) district.

Purpose: to use premises as public parking lot for 13 cars charging a fee.

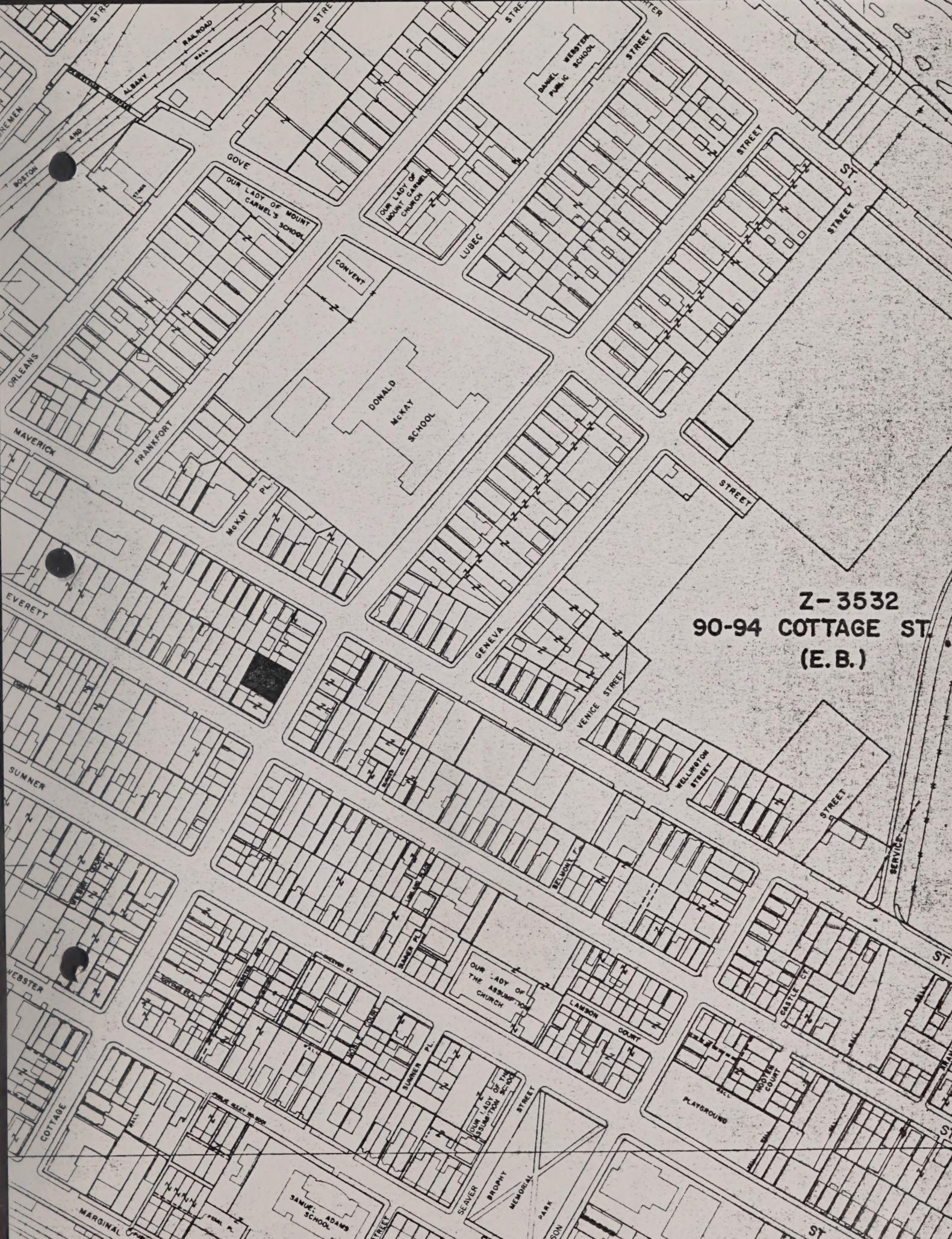
Violation:

Section 8-7. A public parking lot is conditional in an L-1 district.

Proposal would tend to alleviate congested on-street parking in the neighborhood. Recommend approval with provisos.

VOTED: In reference to Petition No. Z-3532, brought by Vincenzo Corsetti, 90-94 Cottage Street, East Boston, for a conditional use to use premises as a public parking lot charging a fee in a local business (L-1) district, the Boston Redevelopment Authority recommends approval with the following provisos: that no trucks or other commercial vehicles be permitted to utilize the lot; that spaces be leased on a monthly basis; that plans be submitted to the Authority for design review.

Z-3532
90-94 COTTAGE ST.
(E.B.)



Board of Appeal Referrals 2/26/76

Hearing: 3/9/76

Petition No. Z-3533
Thomas A. Cosco
220 William F. McClellan Highway,
East Boston
near Addison Street

One-story structure - industrial (I-2) district.

Purpose: to reletter existing free-standing sign.

Violation:

Section 11-5. No sign shall be reconstructed, extended, changed structurally or in content, or replaced except in accordance with the code.
Area of sign exceeds maximum allowed.

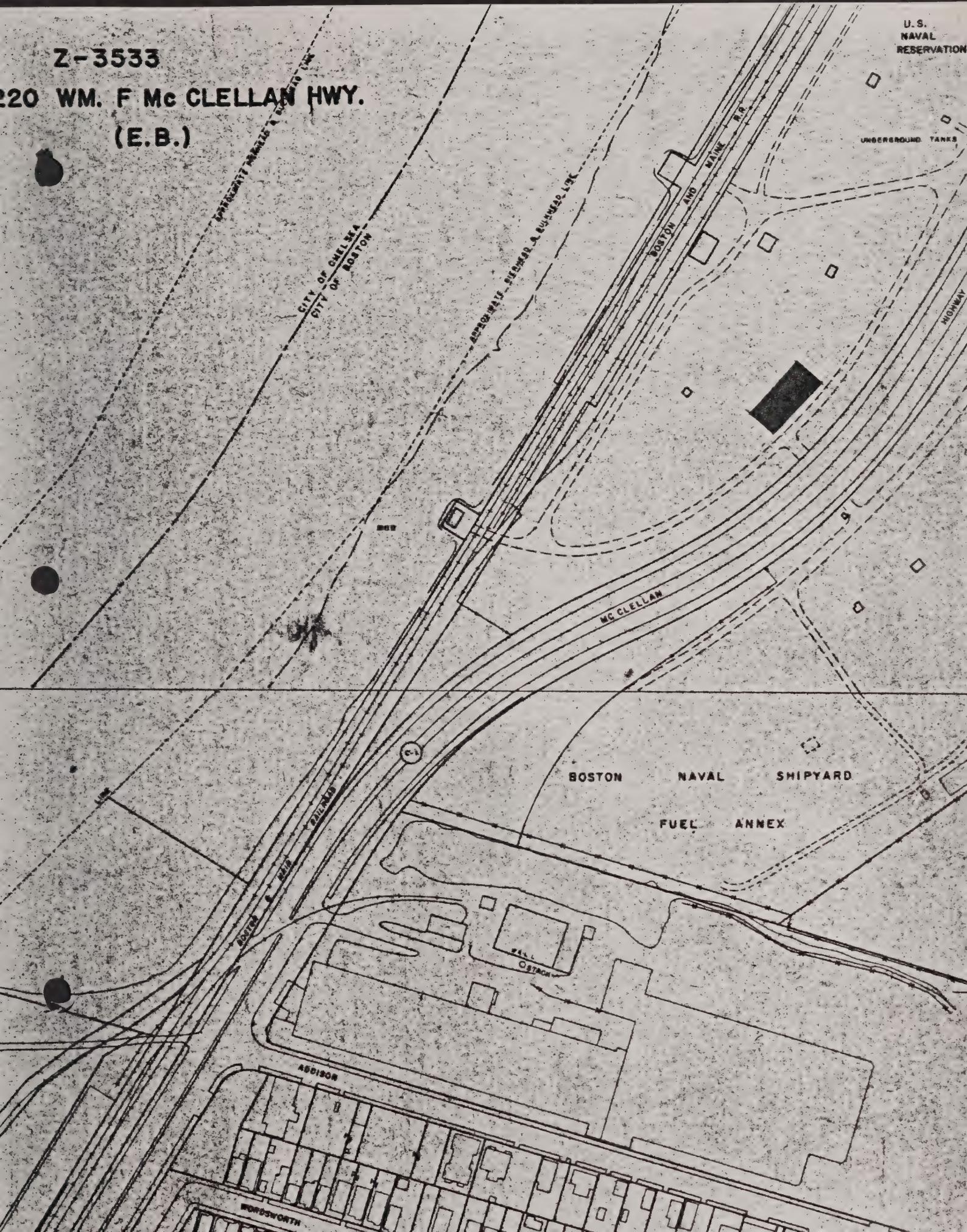
Refurbished sign would indicate "T A's Restaurant." Recommend approval with provisos.

VOTED: In reference to Petition Ho. Z-3533, brought by Thomas A. Cosco, 220 William F. McClellan Highway, East Boston, for a conditional use to reletter existing free-standing sign in an industrial (I-2) district, the Boston Redevelopment Authority recommends approval with the following provisos: that the "Coke" trademark does not exceed 25 percent of the sign and that plans be submitted to the Authority for design review.

Z-3533

220 WM. F MC CLELLAN HWY.

(E.B.)



Board of Appeal Referrals 2/26/76

Hearing: 3/9/76

Petition No. Z-3534
Superior Building and Remodeling
115 Belgrade Avenue, Roslindale
near Penfield Street

One-story masonry structure - residential (R-.8) district.

Purpose: to change occupancy from auto garages to carpenter's shop and interior storage of contractor's equipment.

Violations:

	<u>Required</u>	<u>Proposed</u>
Section 9-2. A change in a nonconforming use requires Board of Appeal approval.		
Section 14-2. Lot area is insufficient.	8,000 sf	4,400 sf
Section 19-1. Side yard is insufficient.	10 ft.	0
Section 20-1. Rear yard is insufficient.	40 ft.	4 ft.

Use would be compatible with existing commercial-residential nature of the street. Site is fenced, abutting a VFW hall on the left side and railroad right of way in the rear. There is adequate space for off-street parking. Recommend approval with provisos.

VOTED: In reference to Petition No. Z-3534, brought by Superior Building and Remodeling, 115 Belgrade Avenue, Roslindale, for a change in a nonconforming use and three variances for a change of occupancy from auto garages to carpenter's shop and interior storage of contractor's equipment in a residential (R-.8) district, the Boston Redevelopment Authority recommends approval provided all work is confined to the interior of the structure and that premises are kept free of debris at all times.



Board of Appeal Referrals 2/26/76

Hearing: 3/9/76

Petition No. Z-3535
Nicola and Maria DeLibero
456-464 Bremen and
489-497 Saratoga Streets, East Boston

One-story masonry structure - general business (B-1) district.

Purpose: to change occupancy from repair shop garage and offices to repair shop garage, offices, retail store, and manufacture, processing, wholesale distribution of food products other than curing, smoking, drying of meat or fish.

Violations:

Required Proposed

Section 8-7. Manufacture and processing of food products other than curing, drying, or smoking of meat or fish is forbidden in B-1 district.

Section 8-7. Wholesale distribution of food products is conditional in a B-1 district.

Section 23-4. Off-street parking is insufficient. 23 spaces 0

Proposal represents an inappropriate mix of uses, particularly the processing of food, within a building where automotive repairs are performed. Lack of off-street parking would intensify existing congested traffic conditions.
Recommend denial.

VOTED: In reference to Petition No. Z-3535, brought by Nicola and Maria DeLibero, 456-464 Bremen and 489-497 Saratoga Streets, East Boston, for a forbidden use, a conditional use and a variance for a change of occupancy from repair shop garage and offices to repair shop garage, offices, retail store, and manufacture, processing, wholesale distribution of food products other than curing, smoking, drying of meat or fish in a general business (B-1) district, the Boston Redevelopment Authority recommends denial. Proposal represents an inappropriate mix of uses, particularly the processing of food, within a building where automotive repairs are performed. Lack of off-street parking would intensify existing congested traffic conditions.



Z-3535

**456-464 BREMEN ST.
489-497 SARATOGA ST.**

Board of Appeal Referrals 2/26/76

Hearing: 3/9/76

Petition No. Z-3536
John Alberino
14 Falcon Street, East Boston
near Meridian Street

Two-story frame structure - residential (R-.8) district.

Purpose: to subdivide land.

Violations:

	<u>Required</u>	<u>Proposed</u>
Section 14-1. Lot area is insufficient.	5,000 sf	944 sf
Section 14-3. Lot width is insufficient.	50 ft.	32 ft.
Section 14-4. Street frontage is insufficient.	50 ft.	32 ft.
Section 17-1. Open space is insufficient.	800 sf	145 sf
Section 19-1. Side yard is insufficient.	10 ft.	6 ft.

The subdivision would transfer a small area of land (7 ft. by 29 ft.) to the contiguous lot of a family member for construction of a patio. Existing violations, though minimally increased, would not have a significant effect on surrounding area. Recommend approval.

VOTED: In reference to Petition No. Z-3536, brought by John Alberino, 14 Falcon Street, East Boston, for five variances to subdivide land in a residential (R-.8) district, the Boston Redevelopment Authority recommends approval. Proposal would not have a significant effect on surrounding area.



9

Board of Appeal Referrals 2/26/76

Hearing: 3/9/76

Petition No. Z-3537
William P. O'Brien
1156-1164 River Street, Hyde Park
near Walter Street

One-story masonry structure - local business (L-.5) district.

Purpose: to change occupancy from dry cleaning shop and offices to dry cleaning shop, offices, and auto driving school.

Violation:

Section 8-7. An auto driving school is conditional in an L-.5 district.

Facility would be consistent with the institutional-commercial uses in the area. However, off-street parking space must be provided for vehicles when not in use. Recommend approval with proviso.

VOTED: In reference to Petition No. Z-3537, brought by William P. O'Brien, 1156-1164 River Street, Hyde Park, for a conditional use for a change of occupancy from dry cleaning shop and offices to dry cleaning shop, offices, and auto driving school in a local business (L-.5) district, the Boston Redevelopment Authority recommends approval with the condition that off-street parking space be provided for vehicles when not in use.



